

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 3/12/2020

ABKCO MUSIC, INC., COLGEMS-  
EMI MUSIC INC., EMI ALGEE  
MUSIC CORP., EMI APRIL MUSIC  
INC., EMI BLACKWOOD MUSIC  
INC., EMI CONSORTIUM MUSIC  
PUBLISHING, INC. D/B/A EMI  
FULL KEEL MUSIC, EMI  
CONSORTIUM SONGS, INC.  
D/B/A EMI LONGITUDE MUSIC,  
EMI FEIST CATALOG INC., EMI  
ROBBINS CATALOG INC., EMI  
UNART CATALOG INC., JOBETE  
MUSIC CO., INC., SCREEN-  
GEMS-EMI MUSIC INC., STONE  
AGATE MUSIC, STONE  
DIAMOND MUSIC CORP.,  
ROGERS & HAMMERSTEIN  
HOLDINGS, LLC, PEER  
INTERNATIONAL  
CORPORATION, PSO LIMITED,  
PEERMUSIC LTD., PEERMUSIC  
III, LTD., SONGS OF PEER, LTD.,  
SPIRIT CATALOG HOLDINGS  
S.A.R.L., TOWSER TUNES, INC.,  
TOWSER NEWCO LTD., SPIRIT  
TWO MUSIC, INC., WARNER-  
TAMERLANE PUBLISHING  
CORP., AND WB MUSIC CORP.,

Plaintiffs,

– against –

WILLIAM SAGAN, NORTON LLC,  
BILL GRAHAM ARCHIVES, LLC  
D/B/A WOLFGANG'S VAULT, BILL  
GRAHAM ARCHIVES, LLC D/B/A  
CONCERT VAULT, BILL GRAHAM  
ARCHIVES, LLC D/B/A MUSIC  
VAULT AND BILL GRAHAM  
ARCHIVES, LLC D/B/A  
DAYTROTTER,

Defendants.

**VERDICT FORM**

15 Civ. 4025 (ER) (SLC)

**PART A**

For the 167 musical compositions as to which it has already been determined that Defendants' infringement was "willful":

1. What amount of statutory damages do you award per work? Your award must be between \$750 and \$150,000 per work.

ABKCO Music (10 works) Answer: \$ 1000.00 per work

Concord Music (Rodgers & Hammerstein)  
(5 works) Answer: \$ 1000.00 per work

Peer Music (5 works) Answer: \$ 1000.00 per work

Sony/ATV Music Publishing (for EMI  
Music Publishing) (23 works) Answer: \$ 1000.00 per work

Spirit Music (70 works) Answer: \$ 1000.00 per work

Warner/Chappell Music Publishing  
(54 works) Answer: \$ 1000.00 per work

**PART B**

For the 30 remaining musical compositions:

1. Was Defendants' infringement of Plaintiffs' copyrights: (i) *regular (neither innocent nor willful)*; (ii) *innocent*; or (iii) *willful*? (Choose one of the three options below.)

Regular ✓ Innocent \_\_\_\_\_ Willful \_\_\_\_\_

2. What amount of statutory damages do you award per work for these 30 musical compositions? If you found that Defendants' infringement was "regular," your award must be between \$750 and \$30,000 per work. If you found that Defendants' infringement was "innocent," your award must be between \$200 and \$30,000 per work. If you found that Defendants' infringement was "willful," your award must be between \$750 and \$150,000 per work.

Peer Music (3 works) Answer: \$ 750.00 per work

Sony/ATV Music Publishing (for EMI  
Music Publishing) (19 works) Answer: \$ 750.00 per work

Spirit Music (7 works) Answer: \$ 750.00 per work

Warner/Chappell Music Publishing  
(1 work)

Answer: \$ 750.00 per work

**You have completed your jury deliberations. Please sign and date below and return to the Court.**

Sharon J Thompson  
Jury Foreperson

March 12, 20  
Date